



State of Tennessee

HOUSE JOINT RESOLUTION NO. 325

By Representatives Brown, Cobb, Dean, Favors, Floyd, Alexander, Armstrong, Bass, Harry Brooks, Kevin Brooks, Campbell, Camper, Carr, Casada, Coley, Cooper, Curtiss, John DeBerry, Lois DeBerry, Dennis, Dunn, Elam, Evans, Faison, Fitzhugh, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Haynes, Hensley, Hill, Hurley, Curtis Johnson, Phillip Johnson, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McDaniel, McDonald, McManus, Don Miller, Larry Miller, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Powers, Pruitt, Ramsey, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Johnnie Turner, Mike Turner, Watson, Weaver, White, Kent Williams, Ryan Williams, Windle, Wirgau, Womick and Madam Speaker Harwell

and

Senators Berke, Watson

A RESOLUTION to specially recognize the commemoration of the decision *Brown v. Board of Commissioners of the City of Chattanooga*.

WHEREAS, it is fitting that members of this General Assembly should honor and commemorate those key events in our history that have advanced the ongoing struggle for civil and human rights and promoted racial equality in our State; and

WHEREAS, the landmark decision, *Brown v. Board of Commissioners of the City of Chattanooga*, (*Brown*) is certainly one such historical event, which transformed the structure of Chattanooga's city government and helped mature that great city into an even more just and equitable society; and

WHEREAS, on Thursday, April 28, 2011, a reception and seminar will be held at the Chattanooga Theatre Center to analyze the legal ramifications of the pivotal lawsuit and honor U.S. District Judge R. Allan Edgar, who adeptly presided over the 1987 case and will soon leave the Volunteer State to return to his native state of Michigan; and

WHEREAS, sponsored by the U.S. District Court Historical Society, the Chattanooga Chapter of the Federal Bar Association, the Chattanooga Bar Association, and the Brock-Cooper Inns of Court, this extraordinary program will be moderated by Chief U.S. District Judge Curtis L. Collier and will feature remarks from one of the courageous plaintiffs, State Representative Dr. Tommie Brown; two attorneys for the plaintiffs, Laughlin McDonald from the American Civil Liberties Union and Tennessee Court of Appeals Judge Richard H. Dinkins; and Professor James F. Blumstein of Vanderbilt School of Law; and

WHEREAS, following Reconstruction, Jim Crowism pervaded all aspects of life in Chattanooga and throughout the South with a pattern of racial exclusiveness prevailing in Chattanooga's public hospitals, schools, restaurants, movie theaters, and neighborhoods; and

WHEREAS, seeking to eliminate the last vestiges of black electoral power, in 1911, Chattanooga city officials made it a crime to pay another person's poll tax, eliminated "ward workers," who had assisted African-Americans in the voting booths, and created an at-large election system, making it nearly impossible for a minority candidate to win a seat in the racially charged and white dominated society; and

WHEREAS, during the ensuing decades, racial tension and turbulent riots continued to plague the Scenic City, with school desegregation finally concluding in 1986 and a strong Ku Klux Klan presence remaining throughout the 1980s; and

WHEREAS, affluent suburban voters routinely took advantage of state and municipal laws that permitted nonresident property owners, who owned only a trivial amount of a small parcel of land, to vote in city elections; and

WHEREAS, even though African-Americans comprised almost one third of the Chattanooga citizenry, only one person of color was elected to the Chattanooga Board of Commissioners from 1911 until after the ruling in *Brown*; and

WHEREAS, dedicated to securing the full blessings of democracy for all Americans and fueled by a quest for justice, twelve minority Chattanooga residents, including Dr. Tommie Brown, Leamon Pierce, Reverend Herbert Wright, J.K. Brown, Annie Thomas, Johnny Holloway, George Key, Lorenzo Ervin, Bobby Ward, Norma Crowder, Maxine Cousins, and Buford McElrath, filed suit in November of 1987, boldly challenging the discriminatory voting schemes and endeavoring to fundamentally change the societal order of the day; and

WHEREAS, in his eloquent opinion, Judge Edgar astutely concluded that the disputed at-large system had been adopted with a discriminatory purpose, aimed at diluting the minority vote in violation of Section Two of the Voting Rights Act of 1965 and that the property qualified voting scheme was arbitrary, irrational, and unconstitutional under the Fourteenth Amendment's Equal Protection Clause; and

WHEREAS, staunchly committed to upholding the highest tenants of the law, the jurist signed an order abolishing the Office of Mayor and Board of Commissioners at noon on June 11, 1990, and vested all executive and administrative authority within a new Office of the Mayor and all legislative and quasi-judicial power within a new City Council; and

WHEREAS, while the new Mayor would still be elected at-large, each of the nine City Council members would be chosen from different districts within the geographical boundaries of Chattanooga, enabling predominately black neighborhoods to fully participate in the democratic process and providing communities of color with fair representation; and

WHEREAS, with the discriminatory policies removed, four African-American candidates were finally victorious at the ballot box, winning election to the City Council in May of 1990, thereby striking an immutable blow against the perpetuation of racial inequality and inspiring freedom-loving people throughout the nation; and


WHEREAS, this momentous decision was truly a catalyst for positive change in our state and nation, and the seminal group of citizens who made the outcome possible are most assuredly deserving of the commendation of this Body; now, therefore,


BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED SEVENTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, that we specially recognize the commemoration of the landmark case, *Brown v. Board of Commissioners of the City of Chattanooga*, honor the distinguished organizers and panelist for participating in this exemplary event, and commend the intrepid plaintiffs, their dedicated attorneys, and U.S. District Judge R. Allan Edgar for their unparalleled pursuit of justice and equality for all Tennesseans.

BE IT FURTHER RESOLVED, that an appropriate copy of this resolution be prepared for presentation with this final clause omitted from such copy.

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ADOPTED: APRIL 25, 2011


BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES


RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 27th day of April 2011


BILL HASLAM, GOVERNOR